

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Roland Pelletier

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Collier County Sheriff

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

1:22-cv-00419-JDL
(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

U S DISTRICT COURT
DISTRICT OF MAINE
BANGOR
RECEIVED & FILED

DEC 29 2022

CHRISTA K. BERRY, CLERK
BY _____
DEPUTY CLERK

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Roland Pelletier
 8600 Camp Rd
 Cocoa FL 32927
 City State Zip Code
 Brevard

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Collier County Sheriff Dept.
 Naples FL 34112
 City State Zip Code

☐

Individual capacity

☒

Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Deputy Amorosi ? spelling
 Deputy
 Naples FL
 City State Zip Code

☒

Individual capacity

☒

Official capacity

Defendant No. 3

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Address _____

City _____

State _____

Zip Code _____

County _____

Telephone Number _____

E-Mail Address (if known) _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

excessive force, unlawful arrest, detention
 intentional tort of inflicting physical pain and
 emotional distress
 4th, 5th, 6th Amendment rights deprived by officers going
 outside of the scope of his duties

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Deliberate interference
Deliberate act

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

Collier County Florida

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Date non accessible nor time currently due to another civil
Right deprivation. afternoon approx 2-4 pm

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I was a passenger in a vehicle that an officers
conducted a traffic stop. I was unlawfully detained
and arrested. Upon stop of vehicle I was ordered out of vehicle
at gun point I obeyed orders other than walking backwards
I had hands up to the sky. Upon being detained I was still
held at gun point with a barrel of a 20K m-5 rifle
3-7 inches from my head upon request to be informed
of why all hostility I was told if you value your teeth & ID
shut the fuck up. I stated I value my rights at the moment
and its my right to know who I am in handcuffs upon →

completing that sentence I was still before
it was Amorosi however I am sure Report says so who I
was upon receiving Report it stated I showed No sign
for life which under Florida statutes constitutes a
Baker act. I was falsely accused and arrested for obstruct
Then post arrest I was harassed and threatened by multiple
guards resulting in me being forced to take an
involuntary plea on cases 11-2015-MM-002470-A for
obstruct and 11-2015-CF-001287. Which taking the
unconstitutionally obtained conviction in case 11-2015-CF-001287
has created extreme hardship and life liberty being deprived
from me and also is interfering with another successful
proceedings and civil right deprivation to the best of
my knowledge and wisdom.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Extreme mental anguish
Emotional distress, loss of life liberty, pain and
Suffering from such anguish, distress, loss of life
multiple Counseling, therapy, as well as enhanced
PTSD prolonged symptoms resulting in multiple
inpatient treatments.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

I am seeking for expungement
and overturned convictions that were unlawfully
obtained as well as punitive damages in the
amount of 5 million dollars for each year I was deprived
of my driving privilege and deprived of my civil rights
as well as half of the damages to be donated to
a non profit of my choice.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10-13-22

Signature of Plaintiff

Printed Name of Plaintiff


Roland Bell et al

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address